

JUL 15 1991

CERTIFIED MAIL

Return Receipt Requested

Article Number: P 279 856 709

Mr. Merle McMahon
President
Pries Enterprises, Inc.
P.O. Box 777
Independence, Iowa 50644

Re: Pries Enterprises, Inc.
Independence, Iowa
EPA ID No. IAD981716806

Letter of Warning/Notice of Deficiency

Dear Mr. McMahon:

This letter acknowledges receipt of the July 26, 1990 hazardous waste container storage unit closure plan that was prepared by your consultant, Ms. Caroline Israel of Terracon Environmental, Inc. The closure plan was submitted as required by the April 3, 1991 Consent Agreement and Consent Order, Docket Number VII-88-H-0034. The container storage unit managed F019 hazardous wastes. The plan has been reviewed by the Environmental Protection Agency (EPA) and the following comments address those areas which require revision and/or clarification before further action can be taken.

1. In general, the closure plan must be revised to provide greater detail. In accordance with Title 40 Code of Federal Regulations (CFR) § 264.112(b)(4), the closure plan must specify the steps involved in implementing closure. As prescribed by the May 2, 1986 Federal Register (51 FR 16426), a copy of which is enclosed, the closure plan must provide sufficiently clear detail so that a third party would be able to conduct closure in accordance with the approved plan.

2. The revised closure plan must include a site map which is either to scale or which is adequately dimensioned and which clearly identifies the location of the unit undergoing closure in relationship to the rest of the facility. The facility property boundaries must be included on this map.

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3. Section 4.0 must be revised to provide more detail regarding the container storage unit. As a minimum, the following must be provided:

- a. the thickness and type of concrete (e.g., six inch reinforced concrete);
- b. the condition of the unit (e.g., stained, location of construction joints, cracks);
- c. the location of sumps or drains;
- d. the slope of the unit; and
- e. the unit's secondary containment system, if any.

Photographs must also be included with the revised plan which clearly show the above features. If features such as cracks, joints, or drains exist within the container storage unit, the revised closure plan must address the collection of soil samples in these areas. Figure 1 must be revised to show the location of these features.

4. Section 5.0 states that the decontamination water action level "is the maximum concentration for characteristic of EP Toxicity of 5 milligrams per liter (mg/l) for chromium in the rinsate." The revised closure plan must specify a action level based upon total chromium, not EP Toxicity. Demonstration that the surface being decontaminated by high pressure water/surfactant washing, or steam cleaning, will be considered successful when the level of total chromium in the rinse water is below 5 mg/l.

5. If soil samples are collected due to the existence of the features described in comment #3, the revised closure plan must specify soil cleanup levels. Cleanup levels may be based on EPA-approved health-based levels or on naturally occurring background concentrations of the constituents.

If background concentration levels are to be used as standards, the closure plan must include specific information on how that level will be established. Background levels may be established based on:

- a. the results of sampling and analysis of an area of the facility that has remained unaffected by facility operations; or
- b. information gathered from a search of available literature on the subject.

If a health-based standard is chosen, it must be an Agency recommended limit or factor described in the March 19, 1987 Federal Register (52 FR 8704-8709), a copy of which is enclosed. Refer to the Federal Register for specific references to environmental media standards, human exposure limits, and health advisories. If the option to base the cleanup levels on health effects is selected, the closure plan must specify the levels chosen. Additionally, the plan must include documentation on the establishment of those levels.

6. Rinse water, or any other solid wastes generated during closure, which either contains hazardous waste above EPA-approved health-based levels, or which exhibit any of the hazardous characteristics, must be managed in accordance with all applicable hazardous waste regulations.

7. In accordance with 40 CFR § 264.112(b)(4), Section 6.0 must be revised to provide a detailed description of the steps necessary to decontaminate the container storage unit. As a minimum, the following must be provided:

- a. a description of how the storage pad will be washed (e.g., high powered steam cleaner);
- b. a description of how the wash and rinse waters will be collected;
- c. a description of how representative samples of the waters will be obtained;
- d. the number of samples that will be collected;
- e. the analytical methods utilized;
- f. the sample containers and preservatives that will be utilized; and
- g. the Quality Control (QC) samples that will be collected (e.g., duplicates and equipment blanks).

The sample collection procedures, analytical methods, containers/preservatives, and Quality Assurance/Quality Control (QA/QC) must be from the most recent edition of EPA publication SW-846, "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods."

8. In accordance with 40 CFR § 264.115, Section 7.0 must be revised to state that within sixty days of completion of the approved closure plan, the owner/operator and an independent, registered professional engineer must provide to EPA, by

registered mail, the required certification, signed by each, that all closure activities have been performed in accordance with the approved closure plan. The plan must also be revised to specify that documentation supporting the engineer's certification, including but not limited to all sampling locations, analytical results, chain-of-custody forms and photographs documenting the storage pads cleaning procedures will be furnished with the certification.

9. Section 8.0 must be revised to specify that Pries, or their representative, will notify the EPA in writing at least thirty (30) days prior to the date(s) on which the sampling described in the revised closure plan is to be performed so that the EPA can arrange for an Agency employee or representative to be on-site to witness the sampling to verify clean closure, and obtain split or duplicate samples, if necessary.

10. The closure plan must be revised to specify that during closure plan implementation (i.e., from the time the closure plan is approved until EPA has approved the closure certification) wastes may not be accumulated or managed within the boundaries of the unit undergoing closure. All hazardous waste generated must be managed in accordance with 40 CFR § 262.34.

11. As required by Section 9.f. of the Consent Agreement and Consent Order, Pries was to submit documentation of financial assurance for closure as required by 40 CFR Part 264 Subpart H to EPA by May 31, 1991. To date, this documentation has not been received by EPA. The revised closure plan must include this documentation.

12. In accordance with 40 CFR § 264.112(c)(2)(iii), the closure plan must include a requirement to notify the EPA, and to amend the closure plan, if unexpected events occur during closure plan implementation which will require a modification to the approved closure plan.

Upon tentative approval of the closure plan by the EPA, the plan must be made available to the public for their review and comment for a period of thirty days. Following the public comment period, and comments received will be addressed before proceeding with the final closure plan approval.

Two copies of a revised closure plan incorporating the revisions described in the preceding comments, must be sent within thirty days of your receipt of this letter to this Agency at the letterhead address, Attention: Mr. Don Lininger, RCRA/IOWA. Failure to provide a revised plan within thirty days may be considered a violation of the Consent Agreement, and may

result in further enforcement actions against your facility. If you have any questions concerning this letter, please contact Mr. Don Lininger of my staff at (913) 551-7724.

Sincerely,

Michael J. Sanderson
Chief, RCRA Branch
Waste Management Division

Enclosures

cc: Pete Hamlin, IDNR
John Holmes, Holmes & Holmes
Caroline Israel, Terracon Environmental, Inc.